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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted With Initial Filing OR Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	SMITH-I.UTL
First Named Inventor	Ira Mark Smith
COMPLETE IF KNOWN	
Application Number	
Filing Date	Filed Herewith
Art Unit	
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SELF-CONTAINED HEATING AND COOLING ORTHOPAEDIC BRACE

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

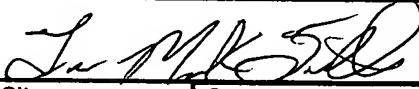
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22278 U.S. PTO
10/679717

100603

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input type="checkbox"/> Customer Number 021590 OR <input checked="" type="checkbox"/> Correspondence address below			
Name Greg O'Bradovich			
Address 395 Scenic Highway			
City Lawrenceville	State Georgia	ZIP 30045	
Country US	Telephone (770) 995-8877	Fax (770) 995-0116	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Ira Mark		Family Name or Surname Smith	
Inventor's Signature 		Date 9/21/03	
Residence: City Marshall	State Texas	Country US	Citizenship US
Mailing Address 20 Linwood Drive			
City Marshall	State Texas	ZIP 75672	Country US
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Jeffrey Ronald		Family Name or Surname Mottershaw	
Inventor's Signature 		Date 9-21-03	
Residence: City Marshall	State Texas	Country US	Citizenship US
Mailing Address 708 Harper Drive			
City Marshall	State Texas	ZIP 75672	Country US
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	
Filing Date	Filed Herewith
First Named Inventor	Ira Mark Smith
Title	Self-Contained Heating..
Art Unit	
Examiner Name	
Attorney Docket Number	SMTTH-I.UTL

I hereby appoint:

 Practitioners at Customer Number

021590

Place Customer Number Bar Code Label here

OR

 Practitioner(s) named below:

Name	Registration Number
James A. Hinkle	22,221
Greg O'Bradovich	42,945

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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 The above-mentioned Customer Number.

OR

 Practitioners at Customer Number.

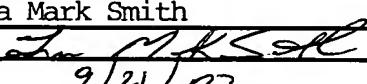
Place Customer Number Bar Code Label here

OR

<input checked="" type="checkbox"/>	Firm or Individual Name	Hinkle & O'Bradovich, LLC
Address	395 Scenic Highway	
Address		
City	Lawrenceville	State Georgia Zip 30045
Country	US	
Telephone	(770) 995-8877	Fax (770) 995-0116

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name	Ira Mark Smith		
Signature			
Date	9/21/03	Telephone	(903) 923-8462

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 *Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	
Filing Date	Filed Herewith
First Named Inventor	Ira Mark Smith
Title	Heated And Cooled...
Art Unit	
Examiner Name	
Attorney Docket Number	SMTTH-T UTIL

I hereby appoint:

 Practitioners at Customer Number

021590

Place Customer
Number Bar Code
Label here

OR

 Practitioner(s) named below:

Name	Registration Number
James A. Hinkle	22,221
Greg O'Bradovich	42,945

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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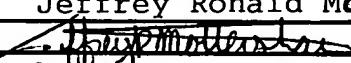
 Practitioners at Customer Number.Place Customer
Number Bar Code
Label here

OR

<input checked="" type="checkbox"/>	Firm or Individual Name	Hinkle & O'Bradovich, LLC	
Address	395 Scenic Highway		
Address			
City	Lawrenceville	State	Georgia
Country	US	Zip	30045
Telephone	(770) 995-8877	Fax	(770) 995-0116

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name	Jeffrey Ronald Mottershaw		
Signature			
Date	9-21-03	Telephone	(903) 935-5920

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

 *Total of 2 forms are submitted.

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